



Before the Education Practices Commission of the State of Florida



IN RE The Denial of the Application
for Teacher's Certificate of:

DONALD J THOMAS
_____ /

EPC CASE N° 18-0392-D

INDEX N°: 19-067-FOI

PPS N° 178-1217-XA

*Corrected as to attachments only

Corrected Final Order

Donald J Thomas holds Florida educator's certificate no. 1347903. The Commissioner has filed a Notice of Reasons to deny the Applicant authorization for an educator's certificate. A copy of the Notice of Reasons (NOR) is attached to and made a part of this Order.

This cause came before a teacher panel of the Education Practices on January 22, 2019 in West Palm Beach, Florida. The Applicant was not present.

The Applicant has chosen not to dispute the allegations of the NOR and has requested an informal hearing to present evidence and testimony in mitigation.

Paragraphs 1 through 4 of the NOR were adopted by the Education Practices Commission as its findings of fact. Counts 1 through 2 of the NOR were adopted by the Education Practices Commission as its conclusions of law.

Upon consideration, it is ORDERED that:

1. Applicant be permitted to pursue application for a Florida educator's certificate. If found qualified, the certificate shall be issued.

2. Applicant is issued a letter of reprimand.

3. Applicant is assessed an administrative fine of \$500.00 to be paid within the probationary period.

4. Upon employment in any public or private position requiring a Florida educator's certificate, Applicant shall be placed on two (2) employment years of probation with the conditions that during that period, he shall:

A. Immediately notify the investigative office in the Department of Education upon employment or termination of employment in the state in any public or private position requiring a Florida educator's certificate.

B. Have Applicant's immediate supervisor submit annual performance reports to the investigative office in the Department of Education.

C. Pay to the Commission during the first 6 months of each probation year the administrative costs (\$150) of monitoring probation assessed to the educator.

D. Violate no law and shall fully comply with all district school board policies, school rules, and State Board of Education rules.

E. Satisfactorily perform all assigned duties in a competent, professional manner.

F. Bear all costs of complying with the terms of a final order entered by the Commission.

G. Provide a certified college transcript to verify successful (a grade of "pass" or a letter grade no lower than a "B") completion of 3 hours of college level course-work in the area of Education Ethics, which may be taken online, within the first year of probation.

DONE AND ORDERED, this 4th day of February, 2019.



NICHOLAS PIETKIEWICZ, Presiding Officer

COPIES FURNISHED TO:

Office of Professional Practices
Services

Bureau of Educator Certification

Superintendent
St. Lucie County Schools
2909 Delaware Ave.
Ft. Pierce, FL 34947-7299

Associate Superintendent
Human Resources
St. Lucie County Schools
2909 Delaware Ave.
Ft. Pierce, FL 34947-7299

Lawrence Harris
Senior Assistant Attorney General

Claudia Llado, Clerk
Division of Administrative Hearings

Probation

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE EDUCATION PRACTICES COMMISSION AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THIS ORDER.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Order was mailed to Donald J Thomas, [REDACTED] Port Saint Lucie, FL 34953 by Certified U.S. Mail and by electronic mail to Bonnie Wilmot, Deputy General Counsel, Suite 1232, Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400 this 4th day of February, 2019.



Lisa Forbess, Clerk
Education Practices Commission

**STATE OF FLORIDA
DEPARTMENT OF EDUCATION**

**IN RE: The Denial of the
Application for Teacher's
Certificate of:**

CASE NO. 178-1217-XA

DONALD THOMAS.
_____ /

NOTICE OF REASONS

DONALD THOMAS, [REDACTED] Port Saint Lucie, Florida 34953, Department of Education Number 1347903, having filed his application for a Florida Educator's Certificate before the Department of Education;

The Department of Education having reviewed the application in accordance with sections 1012.315, 1012.56, 1012.795 and 1012.796, Florida Statutes, has determined that DONALD THOMAS is not entitled to the issuance of a Florida Educator's Certificate, accordingly; and

The Department of Education files and serves upon the Applicant, DONALD THOMAS, its Notice of Reasons for its denial in accordance with the provisions of section 120.60, Florida Statutes.

The Department of Education alleges:

1. On or about May 2, 2011, Applicant plead guilty to Possession or Sale of a Motor Vehicle with Altered Vin Number, Fraudulent Use of Personal Identification Information, and Giving False Information to Law Enforcement Officer During Investigation.

The Department of Education charges:


STATUTE VIOLATIONS

COUNT 1: The Applicant is in violation of section 1012.56(12)(a), Florida Statutes, which provides that the Department of Education may deny an Applicant a certificate if the department possesses evidence satisfactory to it that the Applicant has committed an act or acts, or that a situation exists for which the Education Practices Commission would be authorized to revoke a teaching certificate.

COUNT 2: The Applicant is in violation of section 1012.795(1)(f), Florida Statutes, in that the Applicant has been convicted or found guilty of, or entered a plea of guilty to, regardless of adjudication of guilt, a misdemeanor, felony, or any other criminal charge, other than a minor traffic violation.

WHEREFORE, the undersigned concludes that the Applicant has committed an act or acts, or that a situation exists, which would authorize the Education Practices Commission to revoke or impose other sanctions against an educator's certificate. Based on the reasons set forth herein and in accordance with the Explanation of Rights and Election of Rights forms attached to and made a part of this Notice of Reasons, the undersigned respectfully recommends that the Education Practices Commission impose an appropriate sanction against the Applicant's application or educator's certificate pursuant to the authority provided in sections 1012.56(11), 1012.795(1) and 1012.796(7), Florida Statutes. The sanctions imposed by the Education Practices Commission may include, but are not limited to, any one or a combination of the following: affirming the Department of Education's denial of the issuance of an educator's certificate to the Applicant for any period of time or permanently; issuing the Applicant a written reprimand; placing the Applicant on probation for any period of time; restricting the Applicant's authorized scope of practice; assessing the Applicant an administrative fine; directing the Applicant to enroll in the Recovery Network Program; suspending the Applicant's educator's certificate for a period of time not to exceed five years; revoking the Applicant's educator's certificate for a period of time up to 10 years or permanently; determining the Applicant to be ineligible for certification; or barring the Applicant from reapplying for an educator's certificate for a period of time up to 10 years or permanently.

EXECUTED on this 19th day of June, 2018.



PAM STEWART, as
Commissioner of Education
State of Florida



EDUCATION PRACTICES COMMISSION
STATE OF FLORIDA

GRETCHEN KELLEY BRANTLEY

Executive Director

LAWRENCE HARRIS

Legal Counsel

LISA FORBESS

Clerk of Court

CHRISTIE GOLD

Chairperson

NICHOLAS PIETKIEWICZ

Co-Chairperson

February 4, 2019

Donald Thomas

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Port Saint Lucie, Florida 34953

Re: Pam Stewart vs. Donald Thomas

EPC No.: 18-0392-D; DOE No.: 1347903

Dear Mr. Thomas:

As you know, the teacher panel of the Education Practices Commission reviewed the matter pending against you. The panel concluded that you violated the Principles of Professional Conduct for the Education Profession prescribed by the State Board of Education rules and hereby reprimands you for the conduct alleged in the Notice of Reasons which is incorporated herein.

This panel, which includes fellow educators, believes that, as a future teacher, you are required to exercise a measure of leadership beyond reproach. By your actions, you have lessened the reputation of all who practice our profession and have diminished your position as an educational leader. The profession cannot condone your actions, nor can the public who employ us.

The Education Practices Commission sincerely hopes it is your intention never to violate any professional obligation in fulfilling your responsibilities as an educator. To violate the standards of the profession will surely result in further action.

This letter of reprimand is being placed in your state certification file, and a copy is being sent to the St. Lucie County School Board for placement in your personnel file.

Sincerely,

A handwritten signature in blue ink, appearing to read "N. Pietkiewicz".

Nicholas Pietkiewicz
Presiding Officer